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March 16, 2011

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You are hereby notified that the Court has entered the following order:

2010AP1291	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)
2010AP2022	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)
2010AP2835	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)
2011AP300	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)
2011AP561	Sean Dilweg v. Wells Fargo Bank (L.C. # 2010CV1576)

Before Higginbotham, J.

The RMBS Shareholders have submitted a letter objecting to the stay on further appellate proceedings currently in effect on Appeal Nos. 2010AP1291 and 2010AP2022, which also applies to Appeal No. 2010AP2835. They assert that they did not consent to the stay that was agreed to by other parties and argue that their two cases should proceed because they involve threshold issues such as intervention; the cases have already been fully briefed, and the policyholders are being prejudiced by the delay.

Meanwhile, the Office of the Insurance Commissioner, Depfa Bank, Lloyds TSB Bank, Access to Loans for Learning Student Loan, and One State Street have all submitted letters asking this court to expand the stay to include Appeal Nos. 2011AP300 and 2011AP561. They note that settlement agreements are in progress with some parties and argue that any appeals that do continue should be heard together.

It is this court's continued opinion that the interests of judicial economy are best served by considering all of the appeals relating to the rehabilitation proceeding at one time. Since a final rehabilitation order has now been entered, and multiple parties have now filed appeals from that decision, we are not persuaded that it would be unduly prejudicial to continue to hold consideration of the earlier filed appeals until the more recent appeals have also been briefed.

Accordingly,

Nos. 2010AP1291
2010AP2022
2010AP2835
2011AP300
2011AP561

IT IS ORDERED that the request to lift the current hold on Appeal Nos. 2010AP1291 and 2010AP2022 is denied.

IT IS FURTHER ORDERED that the briefing schedules for Appeal Nos. 2010AP2835 and 2011AP300 shall be reset to conform with the deadlines in Appeal No. 2011AP561. Absent any objection from the parties or the clerk of the circuit court, a consolidated record for those three appeals containing any materials not already forwarded to this court with the prior appeals shall be due in this court on April 13, 2011.

IT IS FURTHER ORDERED that the parties should confer and advise this court by March 30, 2011, whether any of them can agree to file joint briefs relating to one or more of the three more recent appeals, and/or whether there are any special requests or proposals regarding the briefing requirements or the briefing schedule that will commence once the record has been filed.

A. John Voelker
Acting Clerk of Court of Appeals